IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 16TH OCTOBER 2006 / 24TH ASWINA 1928

Bail Appl..No. 6096 of 2006()

CMP.2955/2006 of J.M.F.C.-II,HOSDRUG
CRIME NO.250/2006 OF NELESHWAR POLICE STATION.

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PETITIONER/ACCUSED

RAJEESH.I.V., S/O.T.NARAYANAN,
AGED 34 YEARS, ILLATH VEEDU, AROLI,
PAPPINISSERI VILLAGE, KANNUR DISTRICT,
NOW RESIDING AT PADINHATTAMKOVVAL IN NELESHWAR
VILLAGE.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENTS: COMPLAINANT

S.H.O. NELESHWAR POLICE STATION,
IN CRIME NO.350/06 REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6096 of 2006

Dated this the 16th October, 2006.

O R D E R

Petitioner is the accused in Crime No.250/2006 of Neleshwar Police Station, for the offence punishable under Section 420 IPC, as the petitioner had collected money for obtaining them the Visa for employment in South Korea.

2. When the application came up for consideration, the learned counsel, Sri.Vamanakumar, submitted that the petitioner is prepared to settle the matter with the de facto complainant, the money is with the wife of the petitioner, and the moment the petitioner comes out of the jail, it could be released.

3. The learned Public Prosecutor has got an apprehension, upon instruction from the Investigating Officer and the de facto complainant, that the matter may not be settled. However, the learned counsel for the petitioner ascertains that immediately on the release of the petitioner, the amount of Rs.70,000/= due to the de facto complainant shall be released, and the transaction also would be settled.

4. As Section 420 IPC is compoundable with the permission of the Court under Section 320(2) Cr.P.C., and particularly, recording the submission of the learned counsel, Sri.Vamanakumar, appearing for the petitioner, I allow this application, grant bail to the petitioner, and release him from jail, subject to the following conditions:-

i) The petitioner shall execute a bond for Rs.20,000/= (Rupees Twenty Thousand only) with two solvent sureties, each for the like sum, to the satisfaction of the Judicial First Class Magistrate Court-II, Hosdurg.

ii) The petitioner shall report before the Investigating Officer, as and when required, either till the case is compounded, or the investigation is complete.

J.M. JAMES,
JUDGE

nj.